GLOSSARY

Legislative Terms: Definitions

This dictionary of legislative terms provides very brief explanations of the listed terms. Many of the terms are formal parliamentary usage. Others are informal terms, and even slang terms, in common usage in the Louisiana Legislature. The cited provisions of the constitution, laws, and rules, where applicable, may be consulted for additional information.

8G	Ma	ney

Funds appropriated annually by the legislature to the State Board of Elementary and Secondary Education and the Board of Regents in equal amounts from the Louisiana Quality Education Support Fund, a constitutionally and statutorily established special fund in the state treasury. Only certain recurring revenues to and investment earnings from the related Louisiana Education Quality Trust Fund flow to the support fund and are available for appropriation. The educational purposes for which the funds may be used are specified. This funding is referred to as "8(g) money" due to a federal law reference to a settlement of disputed mineral production funds from the Outer Continental Shelf. (Const. Art. VII, §10.1 and R.S. 17:3801-3804)

Act

A bill that has been finally passed by the House and Senate, enrolled, signed by the legislative presiding officers, signed by the governor (or allowed to become law without his signature), and assigned an act number by the secretary of state. Joint resolutions (proposed constitutional amendments) are bills and are processed as such, except they are not signed by the governor or subject to the governor's veto.

Actuarial Note

An estimate of the actuarial effect of a bill or resolution that will affect a state, parochial, or municipal retirement system. (R.S. 24:513 (D)(2), (E), and (H) and 521, Joint Rule 4(G), and House Rules 7.16(C), 7.17, and 14.48)

Adjournment

Termination of business for a legislative day until a fixed hour on a succeeding day during a session. (Const. Art. III, §10(C) and House Rules 8.2, 9.6, 9.7, and 9.14A)

Adjournment "Sine Die"

Final adjournment at the end of a legislative session (literally "adjournment without date"). "Sine Die" (correctly pronounced "see-nay dee-ay"; in Louisiana it is sometimes pronounced "sigh-knee die") is Latin for "without a day." (House Rules 7.11, 8.11, 9.6, and 9.14(A))

Adopt

To finally approve an amendment, motion, or resolution.

Agenda, Committee A list of instruments or other matters to be considered or acted upon at an upcoming committee meeting. (House Rule 14.30) (Also see Notice, Committee)

AG Opinion

An Attorney General's (AG) Opinion is a formal, written analysis of a question of law prepared by the attorney general at the request of the legislature, head of an executive agency, or a state or local governing authority or official.

Amendment

The modification of a bill or resolution by adding or deleting language or changing wording. (House Rules 8.12, 8.13, 11.1 through 11.6)

- ◆ Committee amendment Changes in a bill or resolution recommended to the full house by a majority of the quorum present of the committee to which the bill or resolution was referred. Must be adopted by the full house to become a part of a bill or resolution. (House Rules 6.11, 14.6, 14.7, 14.40, and 14.43) (Also see Substitute Bill)
- ◆ Floor amendment Amendment offered by a member of the house to a bill or resolution under consideration, usually when a bill is being considered on the floor on third reading and final passage. (House Rules 7.17, 11.1 through 11.6, and 9.13)

Amendment Room

Small room adjacent to the House Desk where staff are available to draft floor amendments to legislation while the House is in session.

Appropriation Bill

A bill to authorize payment of funds from the state treasury to a particular public entity; sometimes specifies a particular purpose. (Const. Art. III, §16 and Art. VII, §10(D), House Rules 6.6(C) and 11.6)

- ◆ General Appropriation Bill Comprehensive bill to fund the ordinary expenses of the executive branch of state government. Appropriations are itemized to show the public entity to which the appropriation is made and the treasury fund from which it is made. The bill is organized in "schedules" applicable to particular departments and agencies or functions, with "items" within each schedule. (Const. Art. III, §16, House Rules 6.25, 7.3, 7.9(C), 8.15, and 11.6)
- Appropriations for the legislative and judicial branches are proposed in separate bills.
- ◆ Capital Outlay Bill Also an appropriation bill; it authorizes expenditures for the capital construction needs of the state. (Const. Art. VII, §6, House Rules 6.6(C), 6.8(C), and 7.3)

At Ease

An informal intermission in the House proceedings declared by the Speaker, who may announce that "The House will stand at ease."

Author

The member sponsoring a particular piece of legislation. (*House Rule 7.2 and Joint Rule 12*) (Also see Co-author)

BA-7

(Budget Adjustment No. 7, as described in R.S. 39:73) A request for a budget adjustment or supplement, received from state agencies, reviewed by the Legislative Fiscal Office, and approved/rejected by the Joint

Legislative Committee on the Budget. (R.S. 39:73)

Bagneris Rule

A rules suspension to defer action on one or more bills. This shortcut motion is used exclusively by the Senate. This motion was originated by former Senator Dennis Bagneris.

Bill

A legislative instrument proposed by a legislator(s) to change existing or enact new statutory law or to repeal existing law (act), or to propose changes or additions to the constitution (joint resolutions). Statutory law includes the Louisiana Revised Statutes, various codes, and uncodified acts. (Const. Art. III, §15)

- ◆ Prefiled bill Original bill that is filed by a legislator with the chief clerical officer of the respective house prior to a legislative session. Such a bill receives a bill number, is printed, and may be assigned to a standing committee prior to a session. On the opening day of the session, it will be formally introduced. (Const. Art. III, §2 and House Rules 6.11, 7.2, 7.6(B), 14.16, 14.19, and 14.24)
- ◆ Original bill The bill as introduced into the legislature that is used in the legislative process until it is engrossed. (*House Rules 7.2 and 7.6*)
- → Engrossed bill Original bill prepared with amendments adopted upon initial consideration by the house of origin incorporated into its text. Usually, a bill which incorporates all committee amendments to the original bill adopted during the second reading in the originating house. (Rarely, a bill is amended on the floor at second reading; and the engrossed bill, including these amendments, is referred to committee.) The engrossed bill is ordinarily the version used on the House floor for debate on third reading and final passage. (House Rules 7.8, 7.9, 8.16, 8.17, and 8.20)
- Reengrossed bill Refers to a bill to which additional amendments have been added after its engrossment. Usually these are floor amendments adopted when the bill is considered on third reading and final passage, but also refers to committee amendments from a second committee in the house of origin. (House Rules 7.8, 7.9, and 7.10)
- ◆ Substitute bill (See Substitute Bill)
- → Enrolled bill A bill in its final form, including all amendments adopted in both houses, to be submitted (joint resolutions excepted) to the governor for approval or veto. (House Rules 7.12, 7.14, and 7.15)

Bill Number

Number given to each bill by the House Clerk or Senate Secretary's Office when it is first introduced or prefiled for a session. These following bills receive the same number for each session: the General Appropriation Bill is House Bill 1; Capital Outlay Bill is House Bill 2; Omnibus Bond Bill is House Bill 3. (House Rule 7.3)

Bill Room

A central location during session which provides copies of bills and legislative documents. The Bill Room is located on the Ground Floor on the Senate side of the Capitol.

Bill Status

The current stage of a legislative instrument in its progression from its introduction to passage.

Boilerplate

Standard bill-drafting language used in the Louisiana Legislature and designed to maintain legal consistency and uniformity.

Bruneau Box

Also referred to as "cost box". A printed statement, bordered by a box, on a public document printed by a state agency that includes the name and address of the agency that published it, at what cost, how many copies, and for whom. This legislation was originated by former Rep. Emile "Peppi" Bruneau. (R.S. 43:31)

Budget Stabilization Fund Commonly known as "the rainy day fund", which is established as a special fund within the state treasury to be available for use in the state budget in the event of certain unexpected shortfalls in revenue. Limited to amounts necessary to cover a projected deficit or drop in revenues, also limited to certain amounts of the fund balance, and requires a two-thirds vote of the legislature to appropriate from the fund. (Const. Art. VII, §10.3 and R.S. 39: 94 and 95)

Bust the Cap

The legislature by a 2/3 vote may agree to increase the annual expenditure limit ("the cap") of state general funds and dedicated funds as provided for in the Constitution. An AG opinion stated that the legislature may entertain changing the expenditure limit in any fiscal year. (La. Atty. Gen. Op. # 07-0124) (Const. Art. VII, §10)

CSG

The Council of State Governments. A multibranch organization forecasting policy trends for the community of states, commonwealths, and territories on a national and regional basis. Serves the executive, judicial, and legislative branches of state government through leadership education, research, and information services.

Calendar

- (1) The daily listing in the Order of the Day, in order of precedence, of resolutions, bills, and other documents on which action may be taken. (Also see *Order of the Day*)
- ◆ Regular calendar Instruments reported by committees and ordered engrossed and passed to third reading on the same day are listed in numerical order and follow those reported on previous days. Most bills are placed on the regular calendar and considered in the order listed. (House Rules 8.8, 8.17, 8.20, 8.23, 8.24, 8.26, and 9.14A)
- ◆ Major state calendar This calendar is comprised of bills and joint resolutions that have a major impact in application throughout the state and establish or change policy in a major area of government activity.

It is a Wednesday calendar, but remaining bills are carried over to the next legislative day. The reporting committee and the Speaker must recommend placement on this calendar. Bills on this calendar lie over for not less than two legislative days prior to consideration on third reading. Removing a bill from this calendar requires filing an objection no later than the day before it is scheduled for consideration, concurrence of 20 other members, and concurrence of the House and Governmental Affairs Committee. (House Rules 8.20, 8.22, 8.23, 8.24, and 8.25)

- ◆ Local and consent calendar A locally advertised bill or any instrument reported unanimously by a committee may be placed on the local and consent calendar. Placement on this calendar requires that the committee reporting the bill adopt a separate motion recommending that it be placed on this calendar. This calendar is acted upon every second legislative day (bi-daily). Upon the second reading of an instrument, the author or sponsor may move that the bill be placed on this calendar and, unless objection is voiced by 21 members, it will be placed on the local and consent calendar. If 21 members object to hearing a bill on this calendar when it comes up for consideration on third reading and final passage, the bill is moved to the regular calendar (the daily calendar) for the next day. (House Rules 8.21, 8.24, and 8.25)
- → Subject to call An instrument may be returned to the calendar upon approval of a majority of the members present and voting. Instruments so returned are listed in numerical order and may be called from the calendar for further action or consideration at a later time when the House is in that same order of business. Only the author or the member handling a Senate instrument or a member authorized by such member may move to call an instrument from the calendar. However, members must give at least a day's notice that they intend to call a bill from this calendar; and such bills are listed on the Order of the Day in the order the Clerk received the member's notice under the heading "Notice Given Subject to Call". (House Rule 8.26) (Also see Order of the Day)
- ◆ Involuntary calendar A Senate procedure when a legislative instrument is returned to calendar, subject to call, upon the order of the majority of members present and voting. After such action, the instrument may be called from the calendar only upon a favorable vote of a majority of members present and voting.
- (2) The Legislative Calendar is the final published compilation of the action on each instrument during a legislative session. It lists all instruments in numerical order by house with a chronological notation of all action taken by each house. It includes an author, subject, and journal information index. *Interim Calendars* are prepared periodically during the interim. (*House Rules 12.6 and 12.7*)
- (3) The Interim Calendar is a compilation of the action taken on each

legislative instrument prior to the convening of the legislative session. (*House Rule 12.7*)

Calendar Day

Any day from convening to adjournment of a legislative session whether or not either house meets.

Call

The proclamation by which the governor or the legislature convenes the legislature into extraordinary session. The subject scope of the session is determined in this written document. (*Const. Art. III, §2(B)*)

Call the Bill or Amendment

The announcement by the House Clerk or Senate Secretary of the item about to be debated on the floor.

Caucus

An informal group of legislators, most often organized on the basis of party affiliation, common interest, or regional representation. Also, a meeting of such a group. Some groups refer to themselves as "delegation" rather than caucus.

Chamber

(1) The room where the House or Senate meets. (2) The House or Senate itself. (*House Rules 1.1 and 1.2*)

Claim Against the State

A financial judgment rendered by a court to pay a claim made by a citizen upon the state; requires appropriation in order to pay it. (Const. Art. XII, §10)

Clerk

The clerical officer of the House of Representatives, elected by the members. (Const. Art. III, §7 and House Rules 2.9 and 2.10)

Closing

Refers to ending the debate on a bill, which only the author of a House Bill or the handler of a Senate Bill has the right to do. Closing is limited to 15 minutes. (House Rule 5.7)

Co-author

Legislator who adds his/her name to the list of authors on another legislator's bill, resolution, or amendment. (*Joint Rule 12*)

Commendation

Resolution of either or both houses expressing legislative tribute. Also may be an interim commendation by an individual House member.

Committee

A group of legislators of one or both houses which considers legislation, conducts studies, and/or makes recommendations to the Senate and/or House.

- ◆ Committee of the whole The entire membership of the House, acting in the capacity of a committee to consider the General Appropriation Bill or other matters. A member other than the Speaker serves as the chairman. (House Rules 6.18 through 6.25, 8.18, and 12.1)
- ◆ Conference committee A committee, composed of three members

from each house, the purpose of which is to propose to the two houses a means to resolve differences in a bill when the house of origin refuses to concur in amendments adopted by the opposite house. (House Rules 6.14, 7.11, and 8.27)

- ◆ Interim committee A special committee created to make a study or investigation during the interim between sessions of the legislature. In the House, most interim studies are conducted by standing committees rather than special interim committees. (Joint Rule No. 13 and House Rules 6.8(B) and 14.16)
- → Joint committee A committee composed of members of both houses. May be composed of standing committee members from each house (or certain members thereof) or may be a special joint committee with members selected without regard to standing committee membership. Used during the interim. (House Rules 14.16 and 14.49 and Joint Rules Nos. 8 and 13)
- ◆ Select committee A committee established by the presiding officer of a house composed of members of that house for a designated purpose. (*House Rules 2.5(13) and 6.1*)
- ◆ Special committee A committee of one or both houses appointed for a limited purpose and discharged upon completion of this function.
- ◆ Standing committee A permanent committee of the House or Senate with subject matter jurisdiction defined by rules of its house. Functions both during and between legislative sessions to conduct public hearings on proposed legislation, review proposed administrative rules, make its own studies of problems, make reports and recommendations to the house it serves, etc. (House Rules 6.1, 6.2, 6.3, 6.5, 6.6, 14.16, and 14.17 and House Rules Chapters 6 and 14, generally. Also Joint Rules Nos. 13 and 16)

Committee Report

A written list of the legislative instruments on which a standing committee took action and the committee's recommendation on each, including any proposed amendments. Includes certain other procedural information. May also refer to the annual report of a standing committee's activities and studies during the interim. (House Rules 6.11 and 14.45)

Committee Staff

The staff assigned to assist a standing committee chair and members. This usually consists of the committee secretary, a research analyst, and/or an attorney.

Concur

Action by the house of origin on a legislative instrument to agree to amendments to the instrument adopted by the opposite house.

Condolence

A resolution which tenders condolences upon the death of a legislator, a

member's relative, former member, or any other person.

Conferees Members of a conference committee appointed by the House Speaker or

Senate President.

Conference Committee Report The recommendations of a conference committee to resolve the differences between the two houses when the house of origin does not concur in amendments adopted in the second house. The report must adopt or reject all second house amendments and may include other changes. A digest of a conference committee report must be prepared by the staff before a vote on the report. (Hause Pulse 6.14, 7.11, and 8.27)

on the report. (House Rules 6.14, 7.11, and 8.27)

Conflict of Interest

A situation in which any interest (financial or otherwise), any business or professional activity, or any general activity may prevent the fair execution of one's obligation of official duties. (Also see *Recuse*)

Constituent A citizen residing within a legislator's district.

Constitution The written instrument stating the fundamental principles of a state

government. Unlike the federal constitution, a state constitution's provisions are not grants of power, but, instead, are limitations on the otherwise plenary power of the people of a state, exercised through its legislature.

Constitutional Amendment (See Joint Resolution under Resolution)

Convene The assembling of a legislative body. Usually refers to the initial convening

of a legislative session.

Co-Sponsor (See Co-author)

Custom, Usage, and Practice

Legislative procedures that, while not formally adopted or codified, have been sanctioned by general usage and have grown into general acceptance. They are a source for parliamentary procedure in the House when the House Rules are silent or inexplicit. They were made an appendix to the House Rules by House Resolution No. 5 of the 2006 2nd Extraordinary Session. (House Rule 13.3)

Cutoff Date Time certain set by a legislative body for specified action, such as bill

introduction, committee action, or passage of bills by either house.

Dead This means a bill is defeated or otherwise removed from consideration for

the rest of a session.

Deferred A legislative instrument scheduled for hearing by a committee may be

voluntarily deferred upon the request of the author or member handling the instrument. An instrument voluntarily deferred without objection may be rescheduled for committee hearing. A legislative instrument is

involuntarily deferred when so ordered by a vote of a majority of the committee members present and voting, notwithstanding the request of the author or member handling it to report the instrument. An involuntarily deferred instrument may be rescheduled for a committee hearing (after opportunity for hearing all other House instruments requested to be heard) only by the vote of two-thirds of the committee members present and voting. (House Rules 6.9 and 6.10)

Desk, The or House Desk Raised area at the front of the House Chamber where the Clerk carries out administrative functions, including the receipt of bills and proposed floor amendments. The presiding officer presides from a raised desk behind the Clerk. (House Rule 1.2, Diagram)

Digest

A summary of the substance of a legislative instrument that appears at the end of the text of the instrument. It explains changes in the law proposed by a bill. Redigests also include a summary of amendments adopted. Digests of legislation as finally passed comprise the Résum é, which is the publication describing all legislation passed by the legislature in a given session. (House Rules 7.9(B) and 7.11 and Joint Rule No. 6)

Docket

(1) A list of all legislative instruments pending before a committee or the full body of the legislature. (2) A central location for filing of official legislative instruments and publications. The House and Senate maintain separate Docket locations.

Draft

(1)(v.) To write a bill, resolution, or amendment. (2)(n.) An unfiled, written version of a bill, resolution, or amendment.

Duplicate Bill

A bill filed in one house which is identical or substantially similar to a bill filed in the other house. Prior rules relative to special procedures for such bills have been repealed.

Effective Date

Date upon which enacted bills and constitutional amendments take effect.

- ◆ Acts from an annual regular session Unless the act itself states an earlier or later date, all acts become effective on August 1 after the regular legislative session during which they are enacted. (Const. Art. III, §19)
- Acts from an extraordinary session Unless the act itself states an earlier or later date, all acts become effective on the 60th day after final adjournment of the extraordinary session in which they were enacted.
- ◆ Constitutional amendments Unless the amendment provides otherwise, constitutional amendments approved by the voters become effective 20 days after issuance of the governor's proclamation that they have been adopted. (Const. Art. XIII, §1(C))

Enabling

A bill designed specifically to implement a proposed or adopted

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Legislation

constitutional amendment.

Enacting Clause

The language "Be it enacted by the Legislature of Louisiana", which is established by the constitution as the style of law enacted by the legislature. Without this clause a bill is unconstitutional. (Const. Art. III, §14)

End Consideration of

Amendments

A motion that, when adopted, prevents the House from adopting any other amendments on the instrument pending, except the amendment under consideration at the time, an amendment to change coauthors, or technical amendments. (House Rule 9.13) (Also see Previous Question)

Executive Order

A written document issued by the governor to accomplish a purpose over which he has authority, such as establishment of executive branch policies, the declaration of certain holidays, establishment of a study or other commission or committee, or other directive within his power as chief executive. Executive branch agencies may also be created by executive order for a limited period. The termination date for such agencies varies as specified by law. (R.S. 49:215)

Executive Session

A closed meeting of the House or Senate or a legislative committee to discuss and act upon certain matters or appointments as provided by law or rule. Generally open only to members and specified staff. (Const. Art. XII, §3, R.S. 42:62, and House Rule 14.11)

File a Bill

To formally introduce a bill during a session by delivering a copy to the House Clerk (House Bills) or Senate Secretary (Senate Bills). (Also see *Prefile*)

Final Action

The ultimate action of the legislature on a bill or resolution, such as final passage, failure to pass, indefinite postponement, tabling, or concurrence.

Fiscal Note

An estimate of the fiscal effect of a bill, joint resolution, simple or concurrent resolution which will affect the receipt, expenditure, or allocation of \$100,000 or greater of state funds or funds of any political subdivision of the state or that will authorize the issuance of general obligation bonds or other general obligations of the state for capital outlay purposes. Must be attached prior to consideration on final passage or consideration by a committee of either house unless the committee decides otherwise. Not a part of the law proposed by the measure to which it is attached. Fiscal notes are prepared by the Legislative Fiscal Office, except for certain notes prepared by the Legislative Auditor. (House Rules 6.8 and 7.16 and Joint Rule No. 4)

Fiscal Year

The 12-month period for which appropriations, budgets, and financial reports are made. The state's fiscal year commences on July 1 and ends the following June 30. (R.S. 39:53)

Floor

The area of the House or Senate Chamber designated by rule for use of members and staff. Access to the floor area of the House and Senate chambers is limited by rule when the body is in session. Referred to in legislative procedure: the bill is "on the floor" means it is under consideration on final passage. Members recognized to speak on debate are said to "have the floor". (*House Rule 1.2*)

Floor Leader(s)

Legislator(s) designated by the governor to handle his/her legislative package.

Fourth Floor

Refers to the Governor or Governor's Office, which is located on the fourth through the sixth floors of the Louisiana State Capitol.

Gallery

Balconies above the House and Senate chambers from which visitors may view proceedings. (House Rule 1.2)

General Bill

(1) A bill applying statewide. (Also see *Local bill, Local and Special Laws*) (2) A bill proposing a law separate from a codified body of Louisiana law (i.e. Civil Code, Code of Civil Procedure, Code of Criminal Procedure, Children's Code, Code of Evidence, and Revised Statutes).

General Fund

The treasury fund into which the majority of state revenues flow and from which are appropriated the funds for the expenditures of the three branches of government. It does not include federal monies, certain self-generated revenues, and certain transfers among state agencies or by the state to local governments. Also referred to as the "State General Fund." (*Const. Art. VII, §§ 9 and 10(J)*)

Germaneness

The relevance of amendments or a substitute bill to an original bill. The constitution and rules require that amendments and substitute bills be germane to the original bill. (Const. Art. III, §15(C) and House Rules 6.12(B) and 11.1)

Glass Pockets Bill A bill which deals with ethics or, more specifically, with financial disclosure of elected officials.

Governor's Package Bills introduced by legislators at the request of the governor.

Grandfather Clause A provision in a bill that exempts certain persons previously involved or preexisting conditions from the bill's effects.

Gut

Amending a bill to remove key provisions such that the bill's effect is drastically weakened.

Hearing

A committee meeting to receive public comment on legislative matters.

Hitchhiker

Amendment to a bill that is not related to the bill author's intent as introduced. The amendment can add new matter or delete the contents of

a bill and insert new provisions. (Also see Germaneness)

Hopper, Drop it in the

Submit a bill or resolution to the Clerk for formal introduction. "Hopper" is a traditional term for a box in which a bill to be considered by a legislative body is dropped. In practice today, there is no such box.

House of Origin

The chamber of the legislature where a bill is introduced and which debates and votes on the bill first.

Interim

The interval between annual regular sessions. Committees can conduct studies and can hear, debate, amend, and determine their reports on prefiled bills at this time. (House Rules 14.16 through 14.20, 14.24, 14.26, 14.27, 14.29, 14.45, and also 4.7, 6.3, 6.11, 7.2, and 12.7 and Joint Rules Nos. 13 and 16)

Introduce

To formally present a proposal for consideration in the Legislature.

Joint Session

Formal meeting of the members of both houses together. Held in the House chamber. (*Joint Rule No. 1*)

Journal

A record of daily proceedings of each house: the *House Journal, Senate Journal*. Also refers to the final compilation of journals which is published at the end of each session as a set (which also includes the *Legislative Calendar*). (Const. Art. III, §10(B), House Rules 2.10, 6.22, 10.9, and 12.1 through 12.5, and Joint Rule No. 1)

Keyword

General subject of bill or resolution that appears above the heading ("An Act", "A Joint Resolution", etc.) Not part of proposed law.

Lay Over, Laid Over, or Lying Over Used to describe a motion on which action has been delayed from one day to the next or a legislative instrument advancing from one day's reading to the next. (House Rules 8.8 through 8.12, 8.27, and 8.28)

Legislative Bureau A group composed of two members of the legislature, one selected by each house, and ex officio, the clerk of the House, the secretary of the Senate, and unofficially the executive director of the Legislative Bureau. Bills, joint resolutions, and suspense resolutions are referred to the bureau prior to advancement to third reading in the second house. The bureau makes an advisory report on the construction of the instrument and any duplication and may suggest amendments. The bureau also must examine each instrument upon its engrossment and passage to third reading in the house of origin and make recommendations for floor amendments. (Joint Rule No. 3 and House Rules 8.19 and 11.4)

Legislative Day

A calendar day on which either house of the legislature is in session. (Const. Art. III, $\S2(A)(1)$, House Rule 8.1)

Legislative History Refers to the collection of documents and other indicia that are created during the legislative process and used by the legal community as an aid in the interpretation of law when its meaning cannot be ascertained by the actual text of the law. The degree to which this information is admissible in court depends upon its authenticity and relevancy to the legal proceeding.

Legislative Instrument One of the following: a bill; a concurrent resolution; a resolution. (Bill includes a joint resolution.) (House Rule 7.1)

Legislative Research Library The David R. Poynter reference library and staff, which is available to legislative staff and legislators. The library contains court opinions, reports, state/federal statutes, agency rules and regulations, serials, and legislative documents. (R.S. 24:761)

Lobbyist

Person paid to represent various interest groups and others to influence the passage or defeat of legislation. (R.S. 24:50 through 58.1, House Rule 3.4)

Local Bill

A bill that applies to an area or group that is less than the total area or population of the state. (Also see *Local and Special Laws*)

Local and Special Laws

A law affecting only one or more particular local areas, such as one or more particular parishes or municipalities (local law). A law that, because of its restrictions, can operate upon or affect only a portion of citizens or a fraction of property embraced within a classification (special law). (Const. Art. III, §§2, 12, and 13) (Also see Official Journal)

Local Notice

Published notice of intention to introduce a bill which will apply only to a designated area of the state, such as a single parish or municipality. Must be published in the locality where the matter to be affected is situated. (Const. Art. III, §13)

Lockout

The temporary disabling of the voting machine of any member who does not answer a quorum call before a record vote. (*House Rule 4.5*) (Also see *Quorum Call*)

"Machine is Open – Vote Your Machine" The announcement by the presiding officer that the voting machine is open and that a member should record his/her position on a matter before the House by pushing the "yes" or "no" button to vote.

Majority

A number of votes greater than half of a total. Final passage of a bill generally requires approval of a majority of the elected members (total number of seats including vacancies), with certain exceptions requiring a greater number. (Const. Art. III, §15(G))

- ◆ Simple majority Often used to indicate that the vote required is a majority of the members present and voting. (*House Rule 9.14(A)*)
- ◆ Super majority A required number of votes larger than a majority of the elected members. (See, principally, *Const. Art. III, §18; Art. VII, §§2, 2.1, and 10.3; and Art. XIII, §1)*

Mandate, Legislative Anything the legislature requires. Usually used to mean a legislative requirement of local government to establish, expand, or modify a practice

which, in turn, necessitates the expenditure of money.

Mason's Refers to Mason's Manual of Legislative Procedure, which is a book of

> parliamentary procedure that, together with the rules of each chamber, the Constitution, laws, and custom, governs the manner in which the legislature

transacts business. (House Rule 13.3)

Moot A term indicating that a motion is not timely because it can no longer affect

an action or event.

Memorial A simple or concurrent resolution which expresses views of one or both

houses and requests a course of action be taken by officials or departments (as in "To memorialize the United States Congress to [take such action...]").

adoption of the motion to reconsider. (House Rules 8.28, 9.2, 9.11, 9.14, and

Motion to A motion which, if successful, returns the question to its status before

11.5)

Reconsider

NCSL National Conference of State Legislatures. A membership organization of

all state legislators and staff in the U.S. and its possessions for the purpose of research and information on public policy and administrative issues. An

annual conference is held in a major city each year.

Necessary for The number of "yes" votes needed to pass a particular measure. May differ Passage

depending on the nature of the measure. Most bills require 53 votes in the House; proposed constitutional amendments, taxes, fees, and certain others

require 70 votes. (Also see *Majority*)

Non-Partisan Legislative employees not assigned to work solely for a caucus who provide

Staff nonpolitical services to the members of the legislature.

Notice. In session, a written announcement of the date, time, place, and matters to Committee be considered of a legislative committee meeting. The notice must be

> posted publicly a day in advance. In the interim, a written announcement of the date, time, place, and matters to be considered of a legislative committee or subcommittee meeting. The notice must be transmitted to

> members seven days in advance and be publicly available. (House Rule

14.24)

Official Journal The newspaper of general circulation in which official notices and

> announcements of the state or units of local government are published. The official journal of the state is *The Advocate* (Baton Rouge). Notices of intent to introduce retirement bills are published in the official state journal. Notices of intent to introduce local bills are published in the local official journals. (Const. Art. III, §§13 and 19 and Art. X, §29(C) and R.S. 43:81 et seq.

and 141 et sea.)

One-liner A phrase or sentence that describes a bill or resolution. It appears on the bill

or resolution after the keyword and before the heading ("An Act", "A Joint

Resolution", etc.). It is not part of the proposed law. (Also see *Keyword*)

Order of the Day

(1) The order of business followed in each house of the legislature in transacting its daily business. (House Rules 8.1, 8.2, 8.6, and 8.26) (2) A legislative document prepared daily in each house of the legislature by the offices of the House Clerk and Senate Secretary, reflecting expected or proposed action on legislative instruments, organized by the order of business in which action may occur. (House Rule 2.10(A)(12)) (Also see Calendar)

Oversight

Legislative review of executive branch implementation of laws and programs and of proposed administrative rules.

PAR Book

The legislative directory published annually by the Public Affairs Research (PAR) Council of Louisiana, Inc.

"Per Diem"

Latin for "for the day". An allowance made to legislators for legislative work as part of their taxable income and payable based on calendar days. (R.S. 24:31 and House Rule 4.7)

Point of Order

The parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A member may raise a point of order, asking for a ruling of the chair (presiding officer) as to the correct procedure. If the member disagrees with the chair's ruling, he or she may appeal the ruling of the chair to a vote of the entire house. Also utilized in committees. (*House Rules 5.6, 9.12, and 9.14*)

Point of Personal Privilege

Parliamentary device by which members gain the floor to comment on matters affecting their rights, reputation, or conduct in their representative capacity or on other personal matters. (Members must still confine themselves to decorous language.) (House Rule 5.1.)

Pork Barrel, Pork A governmental appropriation, bill, or policy that supplies benefits to a specific locale. Generally associated with legislators seeking benefits for their own districts and resulting political favor.

Prefile

To formally file a legislative instrument for introduction by providing a copy to the House Clerk (House Bills) or Senate Secretary (Senate Bills) before the start of a legislative session. (Prefiling deadline is 10 days before a session.) (Const. Art. III, §2 (A)(2 and Art. XIII,§1(A); and House Rules 7.2 and 7.6) (Also see File a Bill)

President

The presiding officer of the Senate, elected by the members. (Const. Art. III, §7(C) and Senate Rules 3.1, 3.2, and 3.3)

Previous Question

A motion that, if successful, closes debate and brings the House to a vote on the question under consideration. A motion in the form of previous question on the entire subject matter, if successful, ends debate on the main question and requires immediate voting on any subsidiary motion or amendments and then on the main question. (House Rules 9.10 and 9.14(A)) (Also see End Consideration of Amendments)

Public Hearing

Meetings held by committees at which members of the public, lobbyists, legislators, and state agency representatives generally address issues on the committee agenda. (Const. Art. III, §15(D) and House Rules 6.9, 6.10, and 14.32)

Public Records Law A law providing that government records may be inspected at reasonable times, under reasonable conditions, and under the supervision of the person who has custody of the records. The Legislature may enact exemptions to the law. (R.S. 44: 1 et seq.)

Quorum

The number of members required to conduct business. (Const. Art. III, §10(A), House Rules 4.3, 4.4, 6.3(C)(3), 14.17, and 14.36 through 14.40, and Joint Rule 8)

Quorum Call

Opening of the voting machine for a roll call to determine whether or not a quorum is present. (*House Rule 4.5*)

Rainy Day Fund

(See Budget Stabilization Fund)

Reading of a Bill

Constitution requires that each bill must be read at least by title on three separate days in each house. (Const. Art. III, §15(D) and House Rules 8.9 through 8.14 and 8.16 through 8.18) (Also see Third Reading)

Recess

An interruption or intermission during the course of floor (or committee) proceedings. (House Rules 9.7 and 9.14(A)(26))

Recommittal

The reassignment of legislation to the last committee that considered it or to another committee. House Rules require that certain instruments be recommitted to other committees after being reported by the committee to which initially referred. (*House Rules 6.8, 6.11, and 8.18*)

Reconsideration

Permitting a vote to be considered and taken a second time. The initial vote on any question may be reconsidered whether the question carried in the affirmative or negative, but the motion to reconsider must be made by a member who voted on the side that prevailed. (Although provided by rule, this rarely occurs in the Senate.) (House Rules 8.28, 9.2, 9.11, 9.14(A)(16) and (17), and 11.5) (Also see Veto)

Recuse

To withdraw from voting so as to avoid any semblance of partiality relating to a question in which a member believes he or she has a conflict of interest. (*House Rules 10.1, 14.9, and 14.40*)

Redistricting or Reapportionment

Realignment of boundaries of legislative, congressional, and other government districts-to reflect proper population representation. Generally

done after each 10-year federal census. (Const. Art. III, §6)

Refer To send any item of legislative business to a committee. (House Rules 6.5,

6.6, 7.2, and 14.16(B))

Referral An assignment of legislation to a specific standing committee for

consideration and report to the House. (House Rules 6.5, 7.2, and 8.7)

Regular Order The fixed schedule of consideration of legislative instruments during the

course of a legislative day that has been established by the House Rules.

(House Rules 8.2 and 8.8) (Also see Special Order)

Repeal To delete and nullify a previously established law.

A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form of legislation is not required. A bill includes the constitutionally-required enacting clause; a resolution uses the term "resolved". Not subject to a time limit for introduction nor to governor's veto. (Const. Art. III, §17 and House Rules 6.8, 7.1, 7.4, 8.11, and 13.1)

- ← Concurrent Resolution Resolution to be considered by both houses that can be used to express legislative intent, adopt or change joint rules of the legislature, memorialize congress, and request or direct a state agency to take a specified action. Can also be used to suspend a law. (Joint Rules Nos. 3 and 20 and House Rules 7.1, 7.2, 7.4, and 7.10) (Also see Suspension of Law)
- → Joint Resolution A proposal to change (amend) or repeal existing provisions of or to add new provisions to the constitution. It is designated a House or a Senate bill, with a bill number, and requires passage by a 2/3 majority of each house to be placed on the election ballot. If finally passed by the Legislature, it is given an act number as well. The favorable vote of a majority of all state electors voting on it is required for it to become effective (and a majority of those voting in the local area if it is local in nature). (Const. Arts. III, §15(A) and XIII, §1, House Rule 7.1, and Joint Rule 20)
- → Simple Resolution Resolution passed by only one house that expresses an opinion or intent, but does not have the force of law. It may also be used to change the rules of a house. It takes effect upon adoption. (House Rules 7.1, 7.2, 7.4, 8.11, and 13.1)

Digest or summary prepared by staff of all legislative instruments finally passed – includes acts, vetoed bills, and adopted resolutions and study requests. The digest distinguishes how the new law changes the old. Also refers to the publication that includes all such résumés and statistical information for the session.

Revised Statutes The Louisiana Revised Statutes of 1950 is the entire codified body of

Resolution

Résumé

effective general law aside from the Constitution, Civil Code, Code of Civil Procedure, Code of Criminal Procedure, Code of Evidence, and Children's Code. New law of general application is incorporated into the revised statutes by amending, repealing, or enacting provisions.

"Roll Call – Vote Only Your Machines" The announcement by the presiding officer that legislators should push the "yes" button on their machines to establish attendance. This is also done to establish the existence of a quorum. No one but the legislator is allowed to vote his/her machine. (House Rules 4.5, 10.3, and 10.7)

Rookie-Do

To hoodwink or cheat someone, often by failing to live up to a bargain.

Rotunda

Memorial Hall, the vaulted entrance hall located between the lobbies of the House Chamber and the Senate Chamber on the first floor of the Capitol, embellished with marble walls, murals, statues, flags, and a large bronze relief map of Louisiana.

Ruling of Chair

(See Point of Order)

SLC

Southern Legislative Conference. A regional legislative group operating under The Council of State Governments that fosters and encourages intergovernmental cooperation. Provides services primarily to the legislative members and staff of its 16-state region.

Sergeant at Arms

Appointed officer of the House of Representatives whose job it is to maintain order in the House Chamber and committee rooms while in session. (House Rules 2.11 and 2.12)

Session

The period during which the legislature assembles and carries on its business. The legislature meets annually in regular session. (Const. Art. III, §§2 and 18)

- Regular session In even-numbered years a regular session is restricted to not more than 60 legislative days within a period of 85 calendar days; in odd-numbered years, it is restricted to not more than 45 legislative days within 60 days. The subject matter of regular sessions in odd-numbered years is limited to specified fiscal matters; however, a member may introduce any bill intended to enact a local or special law or may prefile a maximum of five bills not within the subject matter restrictions.
- → Extraordinary session Such a session is limited to not more than 30 days. There is no restriction on the number of extraordinary sessions that can be held in one year. The governor may call the session; the presiding officers must call an extraordinary session if a majority of each house petition for an extraordinary session. The call defines the subject scope. Also called a "special session."
- → Organizational session Session held on the day legislators take

office for the primary purpose of judging the members' qualifications and elections, taking the oath of office, organizing the two houses, and selecting officers. An organizational session cannot exceed three legislative days.

Veto session – Session required by the constitution to be held on the 40th day following final adjournment of the most recent session to consider all bills vetoed by the governor. Not held if a majority of either house declare it unnecessary in writing.

Slush Fund

Appropriations made to an agency or official for their discretionary distribution, rather than distribution in accordance with objective standards established by law, and often used to fund "pork barrel" projects.

Snake

An intentionally deceptive bill or amendment.

Speaker

The presiding officer of the House of Representatives, elected by the members. (Const. Art. III, § 7(C) and House Rules 2.3, 2.4, and 2.5)

Speaker Pro Tempore The officer of the House of Representative whose job it is, in the absence of the Speaker, to preside over the Chamber and, in the event of the disability or absence of the Speaker, to assume the powers, duties, and responsibilities of the Speaker. This office is elected by the members. (House Rules 2.7 and 2.8)

Special Order

The order of business in which bills or resolutions to be considered at a specifically fixed time rather than their regular order are placed. Used for controversial or time-consuming bills. A bill is placed on special order by the favorable vote of a majority of those present and voting, provided the standing committee which reported the bill recommends such placement. (House Rules 8.4 through 8.6)

Sponsor

The originator of a legislative bill or resolution. (Also see *Author*)

State General Fund (See General Fund)

Strike Out

To delete language from a bill or resolution.

Study Request

A legislative instrument which requests a standing committee or committees to conduct a study of an issue or item during the interim between legislative sessions. A study request does not go through the traditional approval process of other legislative instruments, but rather is adopted if, after a specific period of time, there is insufficient objection made to the proposed study request. (*Joint Rule No. 13*)

→ Concurrent – A request for a study by a standing committee of each house of the legislature. → Simple – A request for a study by a standing committee of one house of the legislature.

Subject to Call Calendar

(See Calendar)

Subject Matter Restrictions

Matters that can be considered at even-year regular sessions (general matters) and odd-year regular sessions (specified fiscal and other matters), respectively. (Const. Art. III, §2 (A)(3) and (4); and Joint No. Rule 20) (Also see Session, Regular Session)

Substantive

Term applied to an amendment that alters the substance of a bill rather than one that makes technical changes.

Substitute Bill

A new bill recommended by a committee to replace a bill referred to it. The committee reports the bill "by substitute" when it recommends that the bill be substantially rewritten. Resolutions may also be reported by substitute. (House Rule 6.12)

Summary of Senate Amendments

A document prepared by staff that summarizes substantive Senate amendments. It also includes a digest of the changes proposed by Senate amendments to a House bill returned to the House for concurrence in amendments.

Sunset

A program for legislative review of state agencies, programs, and statutes. A date is set for automatic repeal ("sunset") of the law creating the agency or program unless specifically renewed by the Legislature. Also used to indicate a termination date for an act or a single provision of law. (R.S. 49:190 et seq.)

Sunshine Bill

Legislation that deals with open meetings and public record laws.

Suspension of Law

Also referred to as "suspense resolution". The legislature may suspend a law for a restricted period of time by adoption of a concurrent resolution, and, as such, the resolution has the effect of law. It is not subject to the governor's veto. (Const. Art. III, §20, House Rule 8.11, and Joint Rules Nos. 3 and 20)

Suspension of Rules

Also referred to as "rule suspension". A motion to temporarily negate the application of a provision of the Rules of Order of the House to the proceedings. Often adopted without a formal motion and vote; if objected to, requires favorable vote of two-thirds of the members present and voting to pass. (House Rule 13.2)

Tabled

A bill is tabled (and usually dead) upon adoption of a motion by majority vote to "lay on the table." As a parliamentary maneuver, it is an alternate way to kill a bill. Used only for House bills. Equivalent motion on a Senate Bill is "to indefinitely postpone". Motions can also be tabled (such as the motion to reconsider the final passage of a bill). It takes a 2/3 vote of those

present to call a bill (or motion) from the table. (House Rules 9.5, 9.8, 9.9, 9.11, and 9.14(A)(5) and (12))

Task Force

A special group authorized to study a particular issue and report back to the Legislature. Its members may include legislators appointed by the legislative leadership and citizens from designated groups or associations.

Technical

Nonsubstantive, especially when applied to an amendment.

Third Reading

The regular advancement of a bill once it has been reported by a committee and ordered engrossed by the House. Bills that have advanced to third reading will be considered on final passage in their regular course. (House Rules 8.14, 8.16 and 8.17) (Also see Reading of a Bill)

Title

- (1) A concise statement appearing at the beginning of a bill which is indicative of the object of the bill as required by the constitution and embraces the significant aspects of the subject content of the bill. (Const. Art. III, §15(A) and House Rule 7.4)
- (2) The largest subdivision of the Louisiana Revised Statutes. The revised statutes are comprised of Titles 1 through 56.

Veto

Governor's disapproval of an enrolled bill. Has the effect of killing the bill unless the legislature subsequently votes to override the governor's action by a 2/3 vote of each house. (Const. Art. III, §18 and Art. IV, §5(G) and House Rule 8.28) (Also see Session, Veto Session)

◆ Item veto – Power exercised by the governor to veto specified items (single appropriations) of an appropriation bill, although signing the remainder of the bill into law. (Const. Art. IV, §5(G))

Vote

- ◆ Record vote A formal roll call of a house or committee of the legislature in which each member's vote (yea or nay or abstention) on a motion is recorded (manually or electronically). Such vote is also recorded in the committee records and minutes and, in the case of floor action, in the *Journal* of the House or Senate. Certain votes are required to be record votes. (Const. Art. III, §§10(B) and 15(G) and House Rules 4.5, 6.22(B), 10.9, 12.2, and 14.43)
- Voice vote (viva voce) A vote taken orally or electronically in which the vote of each member is not permanently recorded. Response is given to the clerk calling the roll (or on the voting machine) in the form of yea or nay, with only the overall totals being recorded in the House or Senate Journal. All roll call votes in committee are record votes. Election of the Speaker, the Speaker Pro Tempore, and the Clerk is conducted by voice vote. (House Rules 2.3 and 2.4)

Vote to Reconsider (See Reconsideration)

Weekly Committee Schedule A written announcement of a standing committee's activities for the upcoming session week. Includes the time, location, and matters to be considered at each of the committee's meeting days. A rule suspension is required to change this schedule, including adding a legislative instrument to be considered. (House Rule 14.23)

Well of the House

The open area of the House floor, located between the House Desk and the first row of the members' desks, that contains the podium from which members address the House. (House Rule 1.2, Diagram)

Withdraw

A motion to remove an amendment, a motion, or a bill from consideration. Must be made by the proposer. (House Rules 9.2 and 9.14(A))

"Without Objection" A phrase used by the presiding officer during session or by a presiding member during a committee meeting to indicate that he or she is disposing of a matter without taking a roll call vote of the members because a record vote is not required and no member has voiced an objection. It is understood that the action taken is approved unanimously by the members present.

Yield

Formally, one legislator relinquishing the floor to another to speak during debate; or informally, pausing during speaking to allow another to ask a question.

ABBREVIATIONS COMMONLY USED

Legislative Instruments/Documents	State Departments/Agencies	
CA Constitutional Amendment	AG Attorney General	
CCR Conference Committee Report	BESE Board of Elementary & Secondary Education	
HB House Bill HCA House Committee Amendment	CRT Department of Culture, Recreation & Tourism	
HCR House Concurrent Resolution	DAF Department of Agriculture & Forestry	
HCSR House Concurrent Study Request	DOA Division of Administration	
HFA House Floor Amendment	DCRT Department of Culture,	
HR House Resolution	Recreation & Tourism	
HSR House Study Request	DED Department of Economic Development	
SB Senate Bill	DEQ Department of Environmental	
SCA Senate Committee Amendment	Quality	
SCR Senate Concurrent Resolution	DHH Department of Health & Hospitals	
SCSR Senate Concurrent Study Request	DOI Department of Insurance	
SFA Senate Floor Amendment	DOJ Department of Justice	
SR Senate Resolution	DOTD Department of Transportation	
SS Summary of Senate Amendments	& Development	
House Committees/Division	DPSC Department of Public Safety & Corrections	
H&GA Committee on House & Governmental Affairs	DCFS Department of Children & Family Services	
MPCA Committee on Municipal, Parochial & Cultural Affairs		
R&I Resource & Infrastructure Division		

State Departments/Agencies (cont.)	<u>Miscellaneous</u>
EPA Environmental Protection	AFL-CIO American Federation of Labor-Council of Industrial Organizations
Agency (U.S.) FCC Federal Communications Commission (U.S.) JDC Judicial District Court LCTCS Louisiana Community & Technical College System LGCB . Louisiana Gaming Control Board OMV Office of Motor Vehicles OYD Office of Youth Development	CABL Council for a Better Louisiana CAFR Comprehensive Annual Financial Report (state) COLA Cost-of-Living Adjustment CPI Consumer Price Index CSG Council of State Governments DA District Attorney DROP Deferred Retirement
PSC Public Service Commission ULS University of Louisiana System	Option Plan EBR East Baton Rouge Parish
LSLI Louisiana State Law Institute	ES Extraordinary Session FITAP Family Independence
<u>Laws and Bodies of Law</u> ADA Americans with Disabilities Act	Temporary Assistance Program FY Fiscal Year
APA Administrative Procedure Act	HLS House Legislative Services
CC Civil Code CCP Code of Civil Procedure	LABI Louisiana Association of Business & Industry
CCrP Code of Criminal Procedure	LaCHIP Louisiana Children's Health Insurance Program
CE Code of Evidence ChC Children's Code	LASERS Louisiana State Employees Retirement System
RS Revised Statutes UCC Uniform Commercial Code	LFO Legislative Fiscal Office LIGA Louisiana Insurance Guaranty Association
	LPFA Louisiana Public Finance Authority

Miscellaneous (cont.)

MFP Minimum Foundation Program		
NCSL National Conference of State Legislatures		
NOCAA New Orleans Center for Creative Arts		
$OSFA\dots \ Office \ of \ Student \ Financial \ Aid$		
PAR Public Affairs Research Council		
PSA Public Systems Associates		
RS Regular Session or Revised Statutes		
SELF Support Education in Louisiana First Fund		
SLC Southern Legislative Conference		
SREB Southern Regional Education Board		
SLS Senate Legislative Services		
START Student Tuition Assistance & Revenue Trust Program		
TANF Temporary Assistance to Needy Families		
TIMED Transportation Infrastructure Model for Economic Development		
TOPS Taylor Opportunity Program for Students		